

AMENDMENT TO THE DRAWINGS

Figure 1 has been amended to label the cellular telephone with reference numeral 105. This is supported by the text in paragraph 0035 of the specification. No new matter has been added.

REMARKS

Claims 1-45 are pending in the present patent application and stand rejected. New claim 46 is added.

On page 2 of the Office Action, in section III, it is mentioned that the current Office Action is in response to the application filed on 06/09/2006. It is believed that the term "application" was intended to read "response."

I. Amendment to Claims:

Claims 1, 32, and 36 have been amended to correct some typographical errors and for a better antecedent basis. Paragraphs 0041 and 0059, for example, support the amendment to claim 1. A new claim 46 has been added. No new matter has been added.

II. Amendment to Drawings:

Figure 1 has been amended to label the cellular telephone with reference numeral 105. This is supported by the text in paragraph 0035 of the specification. No new matter has been added.

III. Claim Rejections Under 35 U.S.C. § 103(a):

The Examiner has rejected claims 1-45 under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 6,075,982 (hereinafter Donovan) in view of US Patent No. 5,440,621 (hereinafter Castro). The Applicant respectfully traverses the rejection.

A. Claim 1

Donovan teaches a wireless prepaid platform using a signaling technique. The signaling technique involves use of a signaling message, referred to as a transaction capabilities application part message, between components to transfer information needed to process prepaid wireless calls. In addition, a prepaid routing number and a call identification number are used to route the call and retrieve information concerning the call. (Donovan, column 2, lines 23-31).

Castro teaches a method and apparatus for prepayment of telecommunication connections between first and second telecommunication devices operably associatable with the telecommunication lines of a telecommunication switching network. In general, the method involves storing data representative of a prepurchased amount of telecommunication-time available for payment of connections in the switching network. At the initiation of the first device, a connection is established between the first and second devices so that a telecommunication process can be conducted therebetween. The connection between the first and second devices is terminated in response to termination of the telecommunication process. The time duration of the connection is measured. The stored telecommunication-time data is processed to reflect a decrement in the available telecommunication-time, which is essentially equal to the measured time duration of the connection. Various embodiments of telecommunication-time metering apparatus are provided for carrying out the disclosed method. (Castro Abstract).

The combination of Donovan and Castro fails to teach the claimed steps of (i) associating a rate plan with the request, the rate plan being associated with at least two rates; (ii) computing a rate schedule based on the rate plan; and (iii) determining a duration of the communications event by comparing the rate schedule to the account balance.

The Examiner's attention is directed to the fact that the Applicants' independent claim 1 positively recites the above steps which the combination of Donovan and Castro fails to disclose as follows:

1. (Currently Amended) A method, comprising:  
identifying an account balance  
associated with a request for a  
communications event,  
associating a rate plan with the  
request, the rate plan being associated with  
at least two rates,  
computing a rate schedule based on the  
rate plan, and  
determining a duration of the  
communications event by comparing the rate  
schedule to the account balance. (Emphasis  
added).

The Examiner has cited the combination of Donovan and Castro as the basis for his rejection of Applicant's claims. To begin with, Donovan does not teach a rate plan or a rate schedule based on the rate plan as claimed by the Applicant. Donovan merely discusses a numbering plan as seen in Table 1 (Column 6) and Table 9 (Column 10). Donovan permits prepaid calls in a network specialized in handling wireless calls without the use of a special wireless handset or an access number. (Column 2, lines 1-

23). The Donovan disclosure utilizes a functionality of the Signaling System 7 (SS7) for generating an "initial address message" and a "transaction capabilities application part message" to facilitate prepaid wireless call processing. (See column 2, line 37 - column 3, line 5). Regarding the charges or the rate for a call, Donovan merely discloses a calculation of tax and a confirmation whether there are sufficient funds available in the prepaid account. (See steps 418 and 430 of FIGS. 4A and 4B).

For rejecting claim 1, the Examiner has cited that the text in column 12, lines 38-51, of Donovan discloses the second step of claim 1. The Applicant respectfully points out that the text merely discloses two prepaid parameters in this regard, namely, the mobile switching center identification number and a location identifier for calculating tax. The prepaid parameters illustrated in Table 11 are only about a Temporary Local Directory Number (TLDN) and a Mobile Switching Center (MSC) Identifier (ID) to determine the appropriate rating for billing the call. Nowhere does the above text and Table 11 disclose a rate plan being associated with at least two rates.

The Examiner has cited the text in column 12, lines 38-51, column 13, lines 11-25 and 41-56, and Tables 7 and 10 as disclosing the third step of claim 1. The Applicant respectfully points out that the text and tables merely disclose prepaid parameters as discussed in the above paragraph regarding the column 12 text. The text in column 13, lines 11-25 merely describes the step 424 of FIG. 4B, namely, the prepaid platform 116 stores the prepaid parameters received in the begin type transaction capabilities application part message and sends an end type transaction capabilities application part message to the

wireless enhanced service platform 112. The text in column 13, lines 41-56 merely describes the cost of setting up the call. The prepaid platform 116 compares the cost of setting up the call to the funds available in the subscriber's account to determine if there are sufficient funds to establish the call. Nowhere do the text in column 12, lines 38-51, column 13, lines 11-25 and 41-56, and Tables 7 and 10 disclose computing a rate schedule based on the rate plan, the rate plan, as discussed above, being associated with at least two rates.

The Examiner states that Donovan fails to teach (the fourth step of) determining a duration of the communications event by comparing the rate schedule to the account balance. The Examiner cites Castro to be teaching that fourth step. The Applicant respectfully points out that the text in column 8, lines 7-28 of Castro merely teaches a capability of displaying the running balance of remaining prepurchased telecommunication-time available for future utilization, and the running balance of time utilized during an on-going telecommunication connection. Castro teaches that the decrementing and display functions are each performed on a continual basis so that the user can observe, at any time during an on-going telecommunication process, the remaining amount of prepurchased telecommunication-time available in the time metering device. However, as Donovan does not teach the second and third steps of claim 1, the significant gap left by Donovan is not bridged by Castro.

Consequently, the Applicant's claim 1 is patentably unobvious over Donovan in view of Castro. Therefore, the Applicant respectfully requests that the rejection of claim 1 be withdrawn.

Claims 2-17 depend directly or indirectly from claim 1 and recite additional features. Therefore, at least for the reasons stated above, these dependent claims are also patentably unobvious and in allowable form. The Examiner is, therefore, requested to withdraw the rejections.

B. Claim 18

Regarding the rejection of the independent claim 18, the Examiner has cited, *inter alia*, the text from column 11, lines 47-53, and reference character 110 of FIG. 2 of Donovan. The other passages of text, namely, column 12, lines 38-51 of Donovan and column 8, lines 7-28 of Castro have been discussed above by the Applicant.

As discussed above, the combination of Donovan and Castro fails to teach the elements of (i) information representative of rate plans for a plurality of communications service providers, each rate plan associated with at least two rates, and (ii) at least one processor coupled to the at least one database and the at least one communications interface, to identify an account balance associated with the request, to associate a rate plan with the request, to compute a rate schedule based on the at least two rates from the associated rate plan, and to compare the rate schedule to the account balance to determine a duration for which an accrued cost of the communications event is approximately equal to the account balance.

The text in column 11, lines 47-53, of Donovan merely discloses a calculation of tax and a confirmation whether there are sufficient funds available in the prepaid account. (See steps 418 and 430 of FIGS. 4A and 4B). The reference character 110

(home location register) of FIG. 2 is a functional database containing subscriber profile and mobility management information as described in column 4, lines 10-12.

The text of column 12, lines 38-51, of Donovan merely teaches two prepaid parameters in this regard, namely, the mobile switching center identification number and a location identifier for calculating tax. The prepaid parameters illustrated in Table 11 are only about a Temporary Local Directory Number (TLDN) and a Mobile Switching Center (MSC) Identifier (ID) to determine the appropriate rating for billing the call. Nowhere does the above text and Table 11 disclose information representative of rate plans for a plurality of communications service providers, each rate plan associated with at least two rates, and computing a rate schedule based on the at least two rates from the associated rate plan.

The Examiner's attention is directed to the fact that the Applicants' independent claim 18 positively recites the above elements as follows:

18. A system, comprising:
  - at least one communications interface to receive information representative of a request to initiate a communications event,
  - at least one database to store:
    - information representative of rate plans for a plurality of communications service providers, each rate plan associated with at least two rates, and
    - information associated with a plurality of accounts, and
    - at least one processor coupled to the at least one database and the at least one communications interface, to identify an



account balance associated with the request, to associate a rate plan with the request, to compute a rate schedule based on the at least two rates from the associated rate plan, and to compare the rate schedule to the account balance to determine a duration for which an accrued cost of the communications event is approximately equal to the account balance. (Emphasis added).

The Examiner states that Donovan fails to teach the claimed element of comparing the rate schedule to the account balance. The Examiner cites Castro as teaching the element of comparing the rate schedule to the account balance. The Applicants respectfully point out that the text in column 8, lines 7-28, of Castro merely teaches a capability of displaying the running balance of remaining prepurchased telecommunication-time available for future utilization, and the running balance of time utilized during an on-going telecommunication connection. Castro teaches that the decrementing and display functions are each performed on a continual basis so that the user can observe, at any time during an on-going telecommunication process, the remaining amount of prepurchased telecommunication-time available in the time metering device. However, as Donovan does not teach the novelty of information representative of rate plans for a plurality of communications service providers, each rate plan associated with at least two rates, and computing a rate schedule based on the at least two rates from the associated rate plan, the significant gap left by Donovan is not bridged by Castro.

Consequently, the Applicant's claim 18 is patentably unobvious over Donovan in view of Castro. Therefore, the

Applicant respectfully requests that the rejection of claim 18 be withdrawn.

Claims 19-31 depend directly or indirectly from claim 18 and recite additional features. Therefore, at least for the reasons stated above, these dependent claims are also patentably unobvious and in allowable form. The Examiner is, therefore, requested to withdraw the rejections.

C. Claim 32

Regarding the rejection of independent claim 32, the Examiner has cited the text from column 12, lines 38-51; column 11, lines 47-53; column 13, lines 11-25 and lines 41-56; Tables 7 and 10, all of Donovan, and column 8, lines 7-28 of Castro. These passages of text and the two tables have been discussed above.

As discussed above, the combination of Donovan and Castro does not teach the novelty of (i) each of the rate plans having at least two rates, and (ii) computing a rate schedule based on the at least two rates of the associated rate plan as positively claimed in claim 32.

32. A method, comprising:  
    storing information representative  
    of rate plans for at least two communications  
    service providers, each of the rate plans  
    having at least two rates,  
    storing information associated with  
    at least two user accounts,  
    identifying a request to initiate a  
    communications event,  
    determining an account balance  
    associated with the request,  
    associating a rate plan with the  
    request,

computing a rate schedule based on the at least two rates of the associated rate plan, and

determining a duration of the communications event for which an accrued cost of the communications event is approximately equal to the account balance.  
(Emphasis added).

The Applicant respectfully points out that the text in column 8, lines 7-28, of Castro merely teaches a capability of displaying the running balance of remaining prepurchased telecommunication-time available for future utilization, and the running balance of time utilized during an on-going telecommunication connection. Castro teaches that the decrementing and display functions are each performed on a continual basis so that the user can observe, at any time during an on-going telecommunication process, the remaining amount of prepurchased telecommunication-time available in the time metering device. However, as Donovan does not teach the two novel steps as described above, the significant gap left by Donovan is not bridged by Castro. Therefore, claim 32 is patentably unobvious over Donovan in view of Castro. Accordingly, the Applicant respectfully requests that the rejection of claim 32 be withdrawn.

Claims 33-45 depend directly or indirectly from claim 32 and recite additional features. Therefore, at least for the reasons stated above, these dependent claims are also patentably unobvious and in allowable form. The Examiner is, therefore, requested to withdraw the rejections.

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The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

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Annotated Sheet

